

PUBLIC PERCEPTION OF CORRUPTION IN SIERRA LEONE

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ABSTRACT

There is no society in the world where corruption has not reared its ugly head. In Sierra Leone, there have been series of military coups and even a ten year civil war and corruption was cited as a reason for these occurrences. Two Anti-Corruption Acts have been enacted but despite the passing of the acts in 2011, Sierra Leone was ranked 134th out of 182 'Most Corrupt Countries' by Transparency International Index. The objectives of the study were: to assess the perception of the public service employees and the public on the efforts made at curbing corruption in the public service. The study was conducted in the Western Area of Sierra Leone and Interview Guides were given to stakeholders including public officials and members of the public on the research objective. Secondary data was obtained from a Justice Development Programme study which analyzed the level of perception of corruption as perceived by the public.

The findings of the study were that the majority of stakeholders still perceive corruption as high among public officials. Reasons attributed for a high perception of corruption were: the low salaries being paid to public officials; the lack of special courts and judges on anti-corruption cases and the non-independence of the Commission. Recommendations included: appointing an independent committee to appoint Commissioners of the Anti-Corruption Commission to ensure that it operates completely independent and giving higher salaries to public officials commensurate with the salaries received by the staff of the Anti-Corruption Commission. Fighting against corruption in the public service is not an easy battle and all stakeholders must come on board to make sure that it is a success story.

KEYWORDS: *Anti-Corruption, Public Service, Public Perception, Corruption*

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INTRODUCTION

Corruption is defined by Transparency International (2011) as the misuse of entrusted power for private gain. According to World Bank (2002), corruption is the abuse of public power for private gain or benefits. It is universally recognized as the behavior of public officials which deviates from acceptable norms in-order to serve private ends. All over the world, corruption is seen as a threat to the growth, well-being and development not only of the society but also its citizens. It leads to a reduction in economic growth, retards development; creates grounds for bad governance within a country and as a result eats at the fabric of society. It is defined as a deviation from ethical universalism; it takes place when public resources are instead of being used for the general good is distributed according to status, privileges and connections. Kofi Annan, a former Secretary General of the U.N. deliberated on this issue in 1999 by stating that, 'corruption hurts the poor disproportionately by diverting funds intended for development undermining a government's ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investments.' Corruption is both a major cause and a result of poverty all around the world.

As confirmed by the World Bank (1997), it occurs in all facets of society, from local and national governments, civil society, judiciary functions, large and small businesses, military and other services. There is no society that corruption has not reared its ugly head and Sierra Leone is no exception.

Koroma (2007), states that a nation's public service is like the locomotive engine that drives the train. This is a precise illustration as the public service is the service of the government in a civil capacity. In section 171 subsections (1) of the 1991 Constitution, a public office includes an office the emoluments of which are paid directly from the Consolidated Fund or directly out of money, provided by Parliament. Section 171 (3) of the 1991 Constitution provides that the public service includes service in the office of the justice system; the Sierra Leone Police Force; the state officials including the President, his ministers, the Speaker; members of Parliament and its staff, any Council, Board, Panel, Committee established by law. It is the body through which the government renders services to its citizens. Some characteristics of the public service include the facts that they are of a public good (being non-ravenous and non-excludable). It often requires high levels of training and education. The public service is supposed to attract people with a public service ethos who wish to give something to the wider public or community through their work.

Despite the important services that public servants perform, corruption and the public service are inseparable, (Lancaster, 2007). Corruption puts basic public services beyond the reach of those who cannot afford to pay bribes. By diverting scarce resources intended for development, corruption makes it harder to meet fundamental needs, such as those for food, health and education. It is regarded as a major obstacle to development. It creates discrimination between the different groups in society, feeds inequality and injustice, discourages foreign investment and aid, and hinders growth. It is, therefore, a major obstacle to political stability, and to successful social and economic development. The public service that renders corrupt services on behalf of government to citizens uses this opportunity to satisfy their private gain. They do this by either soliciting or accepting bribes for their services or embezzling of public funds. Reasons attributed for this are poor remuneration, un-qualification for the position they hold, lack of staff and the lack of supervision of their work.

Sierra Leone was involved in an eleven year war and corruption among government officials was cited as a reason for the war. After the war, it was realized that steps had to be taken to ensure that such an evil occurrence did not happen again. There were pressures on the government by the International Community, through the United Nations, International Monetary Fund and the World Bank to put concrete structures in place to combat corruption. Another impetus was the ever increasing realization by the populace that a way to ensure that war would not recur was to establish laws against corruption by public officials. It was felt that this move would ensure development and create satisfaction amongst its citizens. Also, the United Nations Human Development Index (1998) consistently reported Sierra Leone as one of the least developed nations of the world and citizens continued to emphasize that with corruption being curbed, poverty would be minimized. As a result of both national and international pressures it was deemed important to pass a law that would map out a strategy and establish a structure that would be charged with the business of fighting corruption among public officials in Sierra Leone. Hence in 2000 the Anti -Corruption Act was enacted. With this act, a new era dawned in Sierra Leone, as for the first time it was felt that the government was ready to take a firm stand against corruption, (Anti-Corruption Commission, 2008). A strong message was sent out by this act to corrupt politicians and public servants that corruption would no longer go unpunished. To the citizens of Sierra Leone this was a big sign of hope after a bloody and ruthless war.

The 2000 Act in part 2 section 2 established the Anti-Corruption Commission. This body was to be independent and impartial and was charged with preventing, eradicating, or suppressing corruption in Sierra Leone. It was also the function of the Commission to examine the practice of government ministries and public bodies and advise as to how corruption might be reduced and eradicated. In part four of that Act, section 7 to 15, it provided for corrupt practices that the commission was concerned with. In Part five, the power of the Commission was provided. As at that time, the Commission could only investigate for corrupt practices and where anyone was found guilty, they were to refer their case to the Attorney General who in section 36 and 48 had the power to prosecute.

The provisions of the 2000 Act though it appeared to be a strong attempt at curbing corruption was described as a toothless bull dog, (Koroma,). This was so as the Act did not give the Anti-Corruption Commission the power to prosecute corrupt offences that they investigated. The Minister of Justice and Attorney General was vested with the power of deciding whether to prosecute any person found wanting by the Commission for corrupt practices. It was obvious that the fight against corruption would not be effective as the Attorney General refrained from prosecuting some public officials whom the Commission had investigated and had recommended that they be prosecuted. There was also no provision for a check on the assets and wealth of public officials. The provisions for corrupt practices in this Act were too few for such an ex issue as corruption. It was evident that there were many loopholes in the Act which made the fight to eradicate corruption in Sierra Leone an ineffective one. It was therefore necessary for a new Act to be promulgated that would repeal the 2000 Act. The answer came with the 2008 Anti-Corruption Act. This new Act filled many of the loopholes of the 2000 Anti -Corruption Act.

Some of the provisions of the Act are recorded below. It provided for a wider number of functions for the Commission to perform. In Part four of the Act, twenty nine offences were provided for instead of the nine in the 2000 Act; Part 6, Section 89 to 102 vested in the Commission the power to prosecute corrupt offences. New in this Act part 8 section 119 to 122 dealt with integrity in the public life of public officials. Public officials were mandated to declare their assets; Part IV, section 26 to 52 provided for offences and punishment for those who contravened the provisions through corrupt acquisition of wealth; the possession of unexplained wealth; offering soliciting or accepting advantage; using influence for contracts; influencing a public officer; bribery of or by a public officer to influence decision of a public body; misappropriation of public funds or property; misappropriation of donor funds or property; a public officer using his office for advantage; conflict of interest and gifts and transfer of proceeds of corruption.

Another important provision in the 2008 Act is section 10, allowed the Commission to cooperate with other bodies like the Auditor General Service and the Commissioner General. In section 133, for the first time civil action could be instituted by the Commission to recover the proceeds of corruption. This Act (2008) apart from filling the loopholes of the 2000 Act has brought the corruption laws in tandem with the United Nations Convention against corruption and the African Union's Convention on corruption. By the enactment of this 2008 Act the government as a whole registered a very serious intention to fight against corruption. By the adequate protection for whistle blowers and informers in the Act, more public officials could be investigated by the Commission for corrupt offences. Most significantly, as a result of the power of prosecution the Commission has as of 2008 tripled its conviction rate of corrupt public officials as opposed to the era before 2008.

Another major recommendation of the World Bank and the Anti-Corruption Commission which has been touted as a success in preventing corruption was the establishment of procurement officers and internal auditors within organizations to monitor and prevent graft among public officials, (World Bank, 2002). This was done because it was realized that one of the major causes of corruption was that money was being controlled by the civil servants without supervision. The setting up of the National Public Procurement Authority and its recruitment of procurement officers in all government offices meant that they do all the procuring of supplies and there is no need for senior public officials to get involved in these matters.

Despite the vibrant policy landscape against corruption, in 2011, Sierra Leone ranked 134th out of 182 countries, its Corruption Perception Index being 2.5 by Transparency International which is regarded as the world's most credible measure of domestic and public sector corruption. It ranked above countries like Korea, Somalia, Iraq Libya, Angola, Guinea, Kenya, Nigeria, Pakistan and surprisingly Russia whose corruption index was 2.4. Sierra Leone has considerably improved in its attempts against corruption as it ranked 1.9 in 2008, 2.2 in 2009 and 2.4 in 2010. However this is not an indication of much success, there is still a lot to do. The Index states that "two thirds of countries covered by the Index were given scores less than 5 which mean they are considered significantly corrupt". By this assessment one can see that although Sierra Leone has made significant progress through the years as mentioned above, the fight against corruption still has a long way to go.

Research Design

This work used a cross sectional research design and the following research objectives formed the thrust of this work.

- To what extent does the public service apply the provisions of the anti-corruption Act and how effective are these measures in the fight against corruption.
- To assess the perception of the public servants on the reasons for continued corruption in Sierra Leone
- To assess the perception of the general public on corruption among public officials

This study was limited in its scope as it focused on the capital Freetown, the capital of Sierra Leone. Freetown hosts most of the public offices and the headquarters of the Anti-Corruption Commission. The work targeted public servants recruited by the Public Service Commission, who are also called civil servants rather than all workers, which include staff of commissions and parastatals paid by the government. Two types of data were solicited to answer the research questions, primary and secondary data. The primary data (data collected by the researcher) generated qualitative data which was obtained from Structured Interview Guides given to relevant personnel stated above and stakeholders whose perception of corruption were deemed as pertinent to the study. These were staff of the Anti-Corruption Commission, Audit Service, Public Service Commission, National Public Procurement Authority, Parliamentary Oversight Committee on Anti-Corruption and members of the Police Force. In the organizations targeted, a minimum of ten officials were interviewed. For the members of the public interviewed, thirty-five (35) people were interviewed. These consisted of people from different spheres of life; students, footballers, traders, teachers, taxi-drivers and lecturers. Secondary data was obtained from a Justice Development Programme study which analyzed the level of perception of corruption as perceived by the public.

Findings of the Study

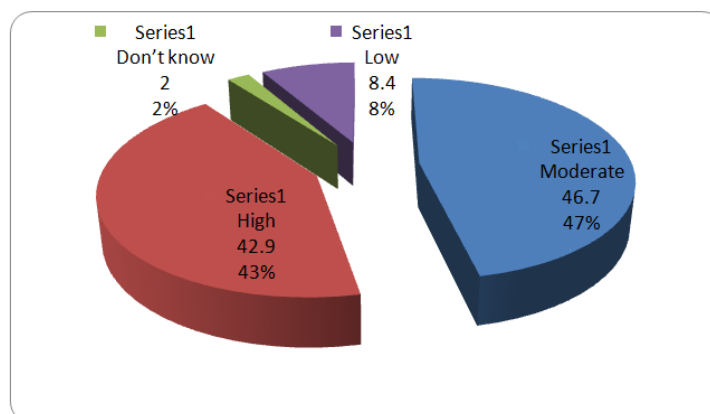


Figure 1: Public Perception of the Level of Corruption in Sierra Leone

Source: Justice Sector Development Programme 2010

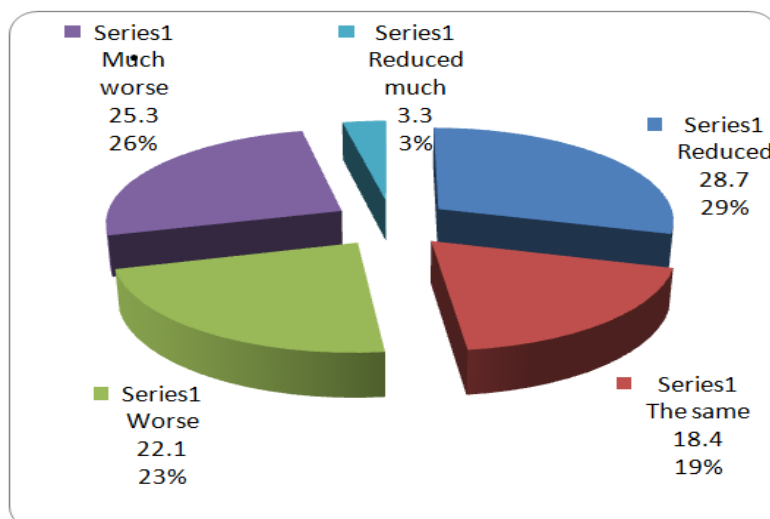


Figure 2: Public Perception of Current Corruption as compared to a Decade Ago

Source: Justice Sector Development Programme 2010

The charts above deal with the levels of corruption amongst public officials in Sierra Leone as perceived by the public. In the first chart, the public perception of the present level corruption is elicited. Forty-three percent (43%) say it is high; forty seven (47%) percent perceive it as moderate. Eight percent (8) believe it is low and two percent (2%) do not know. A majority of those included in the survey perceive it as existing either as high or moderate. It is a very small percent, eight percent that perceive corruption among public officials as low. In the second chart where the level of corruption was compared to a decade ago before the Corruption laws, and as compared to the present; twenty-nine percent (29%) believe it is much worse. Twenty-three percent (23%) believe it is worse. This is a disturbing finding as almost half of the sample used (49%) perceive corruption as worse or much worse than it was a decade ago when there was no Anti-Corruption law or Anti-Corruption Commission. Nineteen percent (19%) believe it is the same and three percent (3%) believed it has reduced much. We can therefore perceive corruption according this survey as still a big problem and that it has not reduced as of ten years ago.

From the public officials' interviews a lot of useful data was generated. Most have a negative perception of corruption. The majority said that it is an evil that needs to be prevented and eradicated in our country whilst a few described it as the order of the day and therefore hard to put down. All of them affirmed that as a result of the work of the Anti-Corruption Commission they are aware of the act and conscious of the consequences of flouting it at all times when carrying out their duties.

Also, they affirmed that in the public service there are new positions which are designed to minimize corruption. These include: well-trained accountants in every office, monitoring and evaluation officers, policy management officers, human resource officers, personnel officers, and administrative officers. As a result of the many groups of staff in government institutions, it is not very easy for corroboration to occur and graft and corruption to be rampant. Staff interviewed confirmed that in the present structure that the senior administrative officials who used to be the most corrupt officials in corruption cases are not involved with the monetary matters of the public service but merely with policy matters.

However, this they said does not totally stop corruption. The new officers in the public service as recommended by international organizations are the auditors and the procurement officers. Even the procurement officers have to go through the National Public Procurement Authority process before purchasing items for individual offices. Auditors and the National Public Procurement Authority are to send copies of their reports to the Anti-Corruption Commission. Staff interviewed stated that this procedure calls for accountability. Despite the fact that corruption has been minimized and that compared with a decade ago, there is the fear of being caught, public officials complain that some of the officials recruited to eradicate corruption, are ostensibly very rich because of their corrupt practices.

In every interview conducted with stakeholders, it must be noted that public officials stated that increase in their salary and condition of living will to a large extent decrease the state of corruption in Sierra Leone. They however showed signs of hope as some stated that there are plans on the way for increase of salary and other conditions of service. Most are however skeptical that the fight against corruption in Sierra Leone will succeed as although adequate improvement has taken place in the past ten years, so much so, that one can envisage that in the next ten years there would be considerable progress, it is the most senior officials who earn more salaries than the junior officials who are the most corrupt public officials.

Another group of public servants that were interviewed in this research were the Police Force. Considered the most corrupt public institution, this was a major reason why they were selected specifically for this research. Many understood what corruption is and openly spoke against it. Some considered it as receiving or giving, others doing something that is not right, most considered it to be limited to mainly bribery. They acknowledge that they were aware of the 2008 Anti-Corruption law at all times while carrying out their duties. However, most said that it is difficult to work in an environment where their seniors have made their wealth through corrupt practices and that people expect these practices to stop with them. They stated that what they do is to ensure they are not caught doing any corrupt practices. All the police officers interviewed in this research, complained about their salary scale which is very low, and how it forces them to corruption. A female detective complained of having three children and no accommodation provided and yet being paid a pittance. She blatantly said "I know the laws, but it is hard for me to implement it." Another police officer who has worked in the force for twenty-five (25) years complained of his low salary. They complained that their salary is small, accommodation facilities are not available and food supplies are not given to them. They all acknowledge that their role is

to avoid corruption but most stated that it is difficult to do their work without being corrupt. Most were hopeful that the fight against corruption would succeed, but warned that if the government does not improve their salaries and the conditions of service of public servants, then all the efforts against corruption would be a waste of time and effort.

The senior officers stated that the Force has put in place many measures to ensure they avoid corruption. In the first place, there is a Code of Conduct for the police force, seminars and workshops are conducted to train them to avoid corruption during their work, during parades the Local Unit commanders inform them and finally the Complaint, Discipline and Internal Investigation Department's (CDIID) presence ensure that they put the awareness into every police officer to keep away from all corrupt practices. In the Police Force, the majority interviewed in this research believed that an effective way to minimize corruption was to ensure that fines levied against corrupt officials should not be significantly less than what was embezzled.

For the series of interviews with the public, thirty-five (35) people were interviewed and these included both males and females. It was important to get their views as it is they who are faced with this menace "corruption" in their daily life as they deal with public servants always. All of those interviewed had quite a clear understanding of the term corruption. They understood it to be evil and condemned it as such. They even blamed corruption for the poor state of the country. They considered corruption to be very serious, and a problem that was destroying Sierra Leone. They claimed it affects every life in Sierra Leone and is a problem that has to be curbed. Interestingly all of them accepted that they had been faced with corruption in their relation with public servants. These ranged from being asked to pay bribes to be attended to by different public offices and on declining to do so public servants would delay in their duties or not carry out their tasks. A student claimed that he was failed in an exam for not paying the teacher a bribe. Out of the thirty-five (35) people interviewed only one had reported a public servant for corrupt practice to the Anti-Corruption Commission. He stated that the Commission is capable of handling such cases; others believe they would take their report as trivial, while others believe the Commission is a tool for the government to punish only those that cross its path and as such, they do not believe their reports will be considered.

The majority raised an issue with the convictions which they used to assess the Commission as ineffective. For them, the fines given to those who had embezzled a lot of money were considered not enough. They considered the fines a red flag for other politicians and public servants to be corrupt and expect only minimal punishment for their actions. There was the suggestion that the fines be given according to the money misappropriated and also that there should be a lot of publicity on corruption among public officials. They stated that more use should be made of radio broadcasts, television programme, seminars and newspapers as means of sensitization.

However, they raised concern on how far such sensitization was reaching most people especially the rural poor that do not have access to radio and do not speak either English or the lingua franca, commonly used in the capital. Also, they wanted more programmes on television as this is the medium for the rich public officials. However, most of them admit that it was about five or six years ago that mass sensitization and cases about anti-corruption have hit the media. This corresponds with the passing of the 2008 anti-corruption bill. They were all aware of the evils of corruption but a few still said if asked to bribe for service by a public servant they would oblige, as this is the order of the day. The majority said they would not offer the bribe.

The majority of those interviewed admitted that they would not report corruption as this act would be frowned upon by the public especially as they are not sure about how far they would be protected from public by the Anti-Corruption Commission. It is interesting to note that the public are divided on the issue of whether corruption has increased or decreased in the last decade.

RECOMMENDATIONS AND CONCLUSIONS

The 2008 Anti-Corruption Act and other measures to prevent corruption is welcomed by all interviewed as capable of being a deterrent to corruption and that with the implementation, there has been some progress against corruption. However, a major recommendation is that there continues to be loopholes in the Act. Fines should be levied by calculation of the money embezzled rather than of stated fines. By not stating the amount but calculating according to the amount embezzled, punishment is expected to be fair. There are no special courts or special judges for anti-corruption cases. It is important that special courts and judges be created so that these cases can be judiciously and speedily effected. To deal with the problem of impartiality of the commissioner and staff of the Anti Corruption Commission, it is recommended that instead of the President appointing the Commissioner, a special committee should be set up made of religious leaders and civil society activists charged with the responsibility of appointing commissioners. This would better secure the independence of the Anti-Corruption Commission.

The government has to make more efforts to improve the salaries and conditions of service of public servants. It is but fair that public servants who handle public funds should be paid handsomely so that they can be firm to avoid corruption. This would be a welcome act as staff of the Commission is among the highest paid workers whose salaries are paid by the Sierra Leone government. The Freedom of Information Act has been passed but is yet to operational. Such a bill will help journalists to publish stories without fear of action being taken against them for defamation or libel. More cases would be investigated, corrupt offenders would be convicted and monies will be recovered to add to the Consolidated Fund. The Anti-Corruption Act (2008) is considered one of the best in Africa. It has great compliance to the U.N. Convention against Corruption, (Transparency International, 2011). However, this is only the first step. The government has to have a strong political will and commitment to the fight against corruption by embarking on the recommendations highlighted above. The fight against corruption is on-going and much has to be done for the public to perceive it as successful.

REFERENCES

1. *The Anti-Corruption Commission (2011). The Anti-Corruption Commission Success Story, Anti-Corruption Commission 2000-2011*
2. *Koroma M.K.(2012). The Decay of the Sierra Leone's Civil Service – When Did It All Go Wrong? The Sierra Leone Telegraphy-May 24, 2012*
3. *Koroma M.K.(2012). Sierra Leone's Civil Service-How Did It All Go Wrong- (Part Two) - The Sierra Leone Telegraph- May 25, 2012*
4. *Lancaster C. (2007). State Failure, Democracy and Development in Sierra Leone. www.cgdev.org*
5. *Public Service Commission (2011). Public Service Commission 2011-2014 Strategic Plan*
6. *Sierra Leone Government (1991). The Republic of Sierra Leone's 1991 constitution. Sierra Leone Government Printers*
7. *Social Justice Development Programme (2010). National Perception Survey for Sierra Leone.*

8. *The 2000 Anti-Corruption Act (2000). Sierra Leone Printers, Freetown*
9. *The 2008 Anti-Corruption Act (2008). Sierra Leone Printers, Freetown*
10. *Transparency International (2011). Corruption Index, 2011*
11. *United Nations Human Index Report (2000). U.N. Publications*
12. *United Nations Office at Vienna: Global Programme against Corruption: Outline for Action-February, 1999*
13. *World Bank (1997). The World Bank, helping Countries Combat Corruption: The Role of the World Bank in Poverty Reduction and Economic Management Network. World Bank Publications.*
14. *World Bank (2002). Fighting Corruption in the Public services-Chronicling Reforms. World Bank Publications.*

